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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ACE AMERICAN INSURANCE COMPANY;
FEDERAL INSURANCE COMPANY,

Plaintiffs,

-v.-

BLUE EAGLE CONSOLIDATION SERVICES
GMBH,

Defendant.

ECF CASE

24-cv-07503 (LGS)(HJR)

HILLEBRAND GORI GROUP; BLUE EAGLE
CONSOLIDATION SERVICES GMBH,

Third-Party Plaintiffs,

-v.-

MSC MEDITERRANEAN SHIPPING
COMPANY S.A.

Third-Party Defendant.

**STIPULATION AND
ORDER OF DISMISSAL**

WHEREAS, an agreement fully settling all claims asserted in this action has been executed but not fully consummated; and

WHEREAS, the settlement of the first-party action has been fully consummated and agreed settlement funds have been paid;

WHEREAS, the payment contemplated by the settlement of the third-party action has not yet been made;

IT IS HEREBY STIPULATED AND AGREED that the first-party action be, and hereby is, severed and dismissed with prejudice and without costs to any party; and

IT IS FURTHER STIPULATED AND AGREED that the third-party action be, and hereby is, dismissed without prejudice to restoring the action to the Court's calendar in the event the settlement agreement is not fully consummated, provided the application to restore the action is filed within thirty days of this Order.

IT IS FURTHER STIPULATED AND AGREED that any such application filed after thirty days from the date of this Order may be denied solely on that basis. If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court by the deadline to reopen to be "so ordered" by the Court. Pursuant to 1.D.5 of the Court's Individual Rules and Practices for Civil Cases. Unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record; and

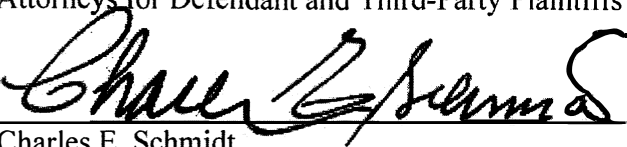
IT IS FURTHER STIPULATED AND AGREED, that if no such application is timely filed, this Order shall automatically, convert without further Order of the Court, to a dismissal with prejudice of the third-party action, without costs to any party.

[COUNSELS' SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Dated: New York, New York
June 16, 2025

KENNEDY LILLIS SCHMIDT & ENGLISH
Attorneys for Defendant and Third-Party Plaintiffs

By:

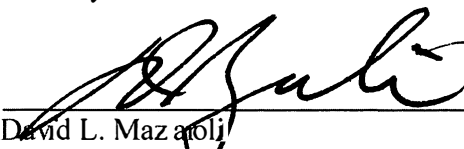


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June 16, 2025

LAW OFFICE OF DAVID L. MAZAROLI
Attorney for Plaintiffs

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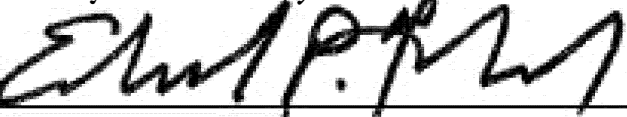


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Dated: New York, New York
June 16, 2025

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By:



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IT IS SO ORDERED:

HON. LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE